



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5367 OF 2023

(Shri Sanjay s/o Punaramji Neware Vs. Divisional Commissioner, Nagpur Division,
Nagpur and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. C. F. Bhagwani, Advocate for Petitioner.
Mr. D. P. Thakare, Addl GP for Respondent Nos. 1 to 4/State.
Mr. Bernard John, Advocate for Respondent No.5.

CORAM: ANIL S KILOR, J.

DATE: 24th AUGUST, 2023.

For the reason that the validity certificate is not submitted by the petitioner after his election as Member, Panchayat Samiti, Ramtek within stipulated period, the election of the petitioner came to be cancelled by the Divisional Commissioner vide impugned order dated 08.08.2023. The same is under challenge in the present writ petition.

2. The petitioner belongs to 'Gond Gowari'. The learned counsel for the petitioner, on a specific query has fairly stated that till date the caste claim is pending. However, the learned counsel for the respondent No.5 is disputing the same and according to him, the caste claim of the petitioner has already been invalidated.

3. Be that as it may, the elections of the Panchayat

Samiti, Ramtek were held on 07.01.2020 and till date, no validity is submitted by the petitioner, even after more than 3½ years.

4. In the circumstances, I do not find any error committed by the Additional Commissioner in cancelling the election of the petitioner with retrospective effect. Accordingly, the writ petition is dismissed.

(ANIL S. KILOR, J.)